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PRACTICE LIMITED TO MATTERS BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

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August 28, 1993

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VIA FEDERAL EXPRESS

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RE: MM Docket No. 93-169

Dear Mr. Caton:

Transmitted herewith, on behalf of Gresham Communications, Inc., is an original and four copies of "Reply Comments" submitted in the above captioned proceeding.

Should there be any questions regarding this matter, please do not hesitate to contact the undersigned.

Very truly yours,


William J. Pennington, III
COUNSEL TO GRESHAM COMMUNICATIONS, INC.

Enc.
WJP/tlt

cc: Certificate of Service

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Before the
FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

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AUG 30 1993

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In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Walterboro and Ridgeville,
South Carolina)

)
)
)
)
)
)
)

MM Docket No. 93-169
RM- 8246

To: Chief, Allocations Branch

REPLY COMMENTS

Gresham Communications, Inc. ("Gresham"), licensee of Station WPAL-FM at Walterboro, South Carolina, by its counsel, hereby submits its Reply Comments directed to the "Comments in Opposition to Petition for Rulemaking" filed by Millennium Communications of Charleston, Inc. ("Millennium"), licensee of Station WWVZ(FM) at Summerville, South Carolina, in the above-captioned proceeding. In support hereof, the following is shown:

BACKGROUND

1. In its Petition for Rule Making, Gresham requested that Channel 265C3 be reassigned from Walterboro, South Carolina to Ridgeville, South Carolina and the outstanding construction permit for WPAL-FM be modified accordingly. Gresham seeks this reassignment to alleviate the need for operation with a directional antenna. Additionally, this requested channel

reassignment would provide a first local broadcast service to the town of Ridgeville and allow the station to serve a greater number of persons. In its Comments, Gresham showed that no gray or white area would be created if this channel were reassigned to Ridgeville and that the public interest would be enhanced. The town of Ridgeville, wholly outside of any urbanized area, meets the Commission's requirements for a channel allotment as outlined in Amendment of Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 4 FCC Rcd 4870 (1989) and Amendment of Commission's Rules Regarding the Modification of FM and TV Authorizations to Specify a new Community of License, 5 FCC Rcd 7094 (1990). Gresham also showed in its Comments that the service area and population which would be lost, as a result of this proposed reassignment, is small and would remain well served by other existing facilities.

2. Millennium filed an objection to the proposal, stating that Gresham's aim in seeking the reassignment was to serve the larger Charleston, South Carolina market. Millennium went on to state that a grant of the petition would be a misapplication of the Commission's allotment priorities. Millennium brought forth a number of arguments in support of its contention including (i) that WPAL-FM could operate nondirectionally from an area which was spaced properly with other co-channel and adjacent channel stations and remain licensed to Walterboro; (ii) Walterboro will be deprived of a station which has served the community since 1968 if the channel is reallocated; (iii) Walterboro is more

deserving of the channel allotment than Ridgeville; and (iv) Ridgeville is interdependent with Charleston.

GRESHAM IS SEVERELY LIMITED AS TO ANTENNA SITE LOCATION

3. Gresham is severely limited as to where it may locate its antenna site. It must be noted that Gresham did seek to locate its antenna site at coordinates very near the "assumed site" outlined in Figure 4 of the technical portion of Millennium's comments. Attached, as Exhibit 1, is the technical portion of the original construction permit application, filed by Gresham in May of 1992 seeking to locate its antenna for Class C3 operation just northeast of Cottageville, South Carolina. Specifically, Gresham sought approval from the Federal Aviation Administration ("FAA") for a 150.8 meter (495 foot) tower at that location. At that location, the station could have been operated nondirectionally and remain licensed to Walterboro. Unfortunately, in July of 1992, the FAA informed Gresham that at that site the tower could only be constructed 155 feet above ground level. Even if Gresham would have been content with operating with such inferior facilities, the antenna height which could be obtained with such a short tower would not allow the station to provide Walterboro with 70 dBu service. Attached, as Exhibit 2, is a letter from the FAA Southern Regional Office in Atlanta, Georgia showing that the problems associated with the first antenna site were caused by the IFR approaches to the Walterboro and Summerville airports. The FAA is very sensitive to IFR approaches, as they are used in periods of poor visibility.

As is stated in the FAA's letter, any change in the existing approaches would have a significant adverse impact on the benefit derived from the instrument approach procedure.

4. After being denied use of its first choice for the station's antenna site, Gresham scrambled to find another suitable site. The only area which appeared to be available was well south of the first site. Gresham located a site along State Highway 651. Although on Millennium's Figure 4 it appears that a great deal of usable area is available between State Highway 651 and the Edisto River for a tower site, this area is timberland controlled by Westvaco, Inc.. Westvaco was not interested in leasing their timberland to Gresham. Even if land could have been leased from Westvaco, it would have been well off of State Highway 651, far removed from any electrical power source. To allow for Class C3 operation, Gresham would have needed three phase electrical power at that site. It is cost prohibitive to build three phase power transmission lines from scratch over any appreciable distance.

5. Gresham did locate a tower site which was shortspaced to first adjacent channel station WLVH(FM) at Hardeeville, South Carolina and amended its application seeking a construction permit for Class C3 facilities. Although, this site is located in an area that is frequented by many low flying military aircraft from the Beaufort Marine Air Station and Charleston Air Force Base, the FAA allowed a tower height not to exceed 354 feet above ground level.

6. Gresham investigated nondirectional operation from this site only to find that the station would have to significantly reduce its operating power to operate in this mode.

7. Thus, Millenium's assertion that there is appreciable area where WPAL-FM can be operated nondirectionally, and still be licensed to Walterboro, is totally inaccurate and made without proper knowledge of the fact. The fact that Gresham attempted to first locate a site in an area which met all of the Commission's spacing requirements, only to be denied by the FAA, is proof that Gresham is not seeking a change in community of license just to enhance its signal into another market. Gresham was allotted a Class C3 channel for WPAL-FM, and has every right to operate the station with the maximum facilities allowed under the Commission's Rules. The Commission has often stated that it encourages maximum use of facilities. There is no argument that maximum facilities further the Commission's public interest goals.

**THE CHANNEL REASSIGNMENT TO RIDGEVILLE
MEETS ALL FCC AND FAA REQUIREMENTS**

8. If Channel 265C3 is reassigned from Walterboro to Ridgeville, the station can operate nondirectionally as all spacing requirements would be met. In addition, the proposed allotment site is very near the existing 1,000 foot tower presently used by WBUB(FM) at St. George, South Carolina. There is no question that a tower just over one third the height of the WBUB(FM) tower would meet all of the criteria set forth by the

FAA. This location would not infringe upon any instrument approach to any existing or proposed airport runway.

**MILLENNIUM'S ARGUMENTS ARE MISAPPLIED
AND HAVE NO CREDENCE**

9. As shown above, the fact that Gresham tried to locate at a site that was properly spaced only to be denied by the FAA, shows there is no intent to "serve the greener pastures of the Charleston urbanized area and environs". Millennium's allegations amount to rank speculation, and perhaps shows the motivation that it would possess if licensed to Walterboro. To attempt to impute this motivation to Gresham is the sole basis of Millennium's argument. It must be noted here that Millennium's WWVZ(FM) is licensed to Summerville, South Carolina, not Charleston, as they might want you to believe. Gresham finds it intriguing that Millennium is not concerned about any possible service that WPAL-FM might provide to Summerville. Gresham submits that it is, in fact, Millennium who is using a small community (Summerville) as a pretext to serve a larger city (Charleston/North Charleston).

10. Millennium tries to get a lot of mileage out of the fact that Gresham is trying to reallocate the "oldest", "most entrenched", and "most encompassing" FM station in Walterboro. Counsel for Gresham has scoured the Commission's Rules and Regulations trying to find a prohibition against the reallocation of the "oldest" and "most entrenched" FM station in a community. A rule of this sort could not be found. As for "most

encompassing", if WPAL-FM were forced to operate with less than maximum facilities, the station could not "encompass" the area or persons it would normally be permitted.

11. Millennium relies heavily on **RKO General, Inc. (KRFC)**, 5 FCC Rcd 3222 (1990) ("RKO General") in arguing that the reallocation should not be made to Ridgeville. Millennium puts a lot of weight on the increase in coverage of the Charleston Urbanized Area that would be realized if the proposed allotment is instituted. This analysis is extremely flawed and woefully short on objectivity. The errors can be shown clearly by using Millennium's own technical data, specifically Figures 1, 3 and 4. Figure 4 shows the area in which Channel 265C3 meets all of the Commission's channel spacing criteria so to remain licensed to Walterboro. Exhibit 3 is a copy of Millennium's Figure 4 showing an assumed site in the lower southeast corner of what was described as a usable area for a Walterboro licensed site. Although, this area is, for the most part, inaccessible and not near three phase power, if it could be used as an antenna site it would be located 29.5 miles from downtown Charleston. This is in contrast with the proposed site for the channel reassignment to Ridgeville, which is 33 miles from downtown Charleston. The authorized site for WPAL-FM is located 33.6 miles from downtown Charleston. All three of these sites are noted on Exhibit 4, a copy of Millennium's Figure 1. Millennium's Figure 1 is most deceiving. Perhaps, a more accurate representation of the facts would have been to show the authorized WPAL-FM antenna site

along with the proposed reallocation coordinates. The net gain in mileage from downtown Charleston between the authorized WPAL-FM site and the reallocation coordinates is just 0.6 miles, hardly what a reasonable person would call significant.

12. Exhibit 5 is a copy of Millennium's Figure 2 showing the authorized and proposed 1.0 mV/m service contours and the amount of coverage they provide the Charleston Urbanized Area. Added to this figure is the 1.0 mV/m coverage that WPAL-FM would provide the Charleston Urbanized Area if the station's antenna site were located in the lower southeast portion of the area which Millennium shows could be used for the station if licensed to Walterboro. Plainly, if the station's antenna site could be located at the assumed site (which meets all spacing requirements), WPAL-FM's 1.0 mV/m service contour would cover approximately the same land area within the Charleston Urbanized Area as the station would from the proposed reallocation coordinates northwest of Ridgeville. In addition, more population would be served by the 1.0 mV/m service contour from assumed site than would from the reallocation site. The "new area" which would receive 1.0 mV/m service is mainly in the heavily populated "West Ashley" area of Charleston and residential areas of North Charleston. The only area that the Ridgeville site could provide 1.0 mV/m service exclusively are portions of the community of Goose Creek and the Charleston Navy Base which is scheduled for closing in the near future.

13. Thus, there is an site within the usable area for

WPAL-FM to locate its antenna site and still be licensed to Walterboro that is properly spaced with all other channels that could provide at least the same coverage of the Charleston Urbanized Area and perhaps more population than the reallocation coordinates at Ridgeville. Gresham chooses to take a prudent business course and not spend, what could amount to, a couple of hundred thousand dollars in securing land, building and providing three phase electrical power to a properly spaced, but extremely remote, antenna site three and one half miles closer to downtown Charleston.

14. Millennium, in its analysis of the second prong of the **RKO General** test comparing the population of Ridgeville to Charleston, the distances between the two communities and Ridgeville's location in relation to the Charleston Urbanized Area is deceiving at best, and at worst a blatant misrepresentation of the facts. Millennium states that Ridgeville is located "nearly adjacent to the boundary of the Charleston Urbanized Area". Millennium's engineering statement stretches the truth even further by saying that Ridgeville "is approximately 5 miles west of the Charleston, SC Urbanized Area". By viewing Figure 2 of Millennium's Comments, you are led to believe that the two are just five miles apart. The mileage scale is conveniently placed in a position below the blocked off area entitled "Ridgeville" and near the blackened area depicting the Charleston Urbanized Area. It must be noted that in South Carolina, counties are made up of political subdivisions.

Political subdivisions often have the same names as towns or communities within the subdivisions. This is the case with Ridgeville. Plainly stated, Ridgeville is in the Ridgeville political subdivision of Dorchester County. In reality, the town of Ridgeville is located some 8.2 miles from the northwest boundary of the town of Summerville, the northwest extent of the Charleston Urbanized Area. This distance can hardly be termed as being "nearly adjacent". The area between Summerville and Ridgeville is primarily forest land and is not very populated.

15. Comparing the size of Charleston and Ridgeville doesn't prove anything associated with the **RKO General** test. Since the two towns are 31 miles apart, and it has been shown clearly herein that Ridgeville is not "nearly adjacent to the Charleston Urbanized Area" the populations of the two towns is not a factor in making any determination. Obviously, Millennium has the impression that Charleston is much larger than what it is in reality. Ridgeville is certainly not a suburban community of Charleston.

16. Millennium relies on circulation data from the **Charleston Post and Courier** to prove that Ridgeville is interdependent with Charleston. Millennium states that the paper "has a circulation of 1,000 in Ridgeville on weekdays and Sunday." They fail to attribute where or how they arrived at the circulation figures. Gresham's counsel contacted Jean Bohnham, retail advertising manager for the **News and Courier** who stated that Ridgeville has a daily circulation of 800 and a weekend

circulation of 1,100. As impressive as Millennium wants to make these figures sound the fact is that Walterboro, 43.3 miles from Charleston with a 1990 population of 5,492 persons, has a daily circulation of 2,500 and weekend circulation of 3,000. Moncks Corner, 29 miles from Charleston with a population of 5,607 persons has a daily circulation of 3,500 and weekend circulation of 4,300. Even cities rather distant from Charleston, Georgetown, 55 miles distant with a population of 9,517 persons has a daily circulation of 1,300 and a weekend circulation of 1,600. Beaufort, 50 miles distant with a population of 9,576 persons has a daily circulation of 700 and a weekend circulation of 1,200. The only thing the newspaper circulation figures prove is that the **Post and Courier** is a large regional newspaper that covers news over a large portion of the state of South Carolina. Accepting Millennium's twisted rationale, the circulation of the **Post and Courier** in Walterboro certainly signifies that the community, 43.3 miles distant, is interdependent with Charleston.

17. Millennium further states that since Ridgeville is in Dorchester County, which is part of the Charleston Metropolitan Statistical Area, that the community is interdependent with Charleston. Using this misplaced presumption will bring but a snicker from people residing in St. George, St. Stephen or Jamestown, all communities within the Charleston Metropolitan Statistical Area but certainly not interdependent on Charleston. Ridgeville residents, being located in Dorchester County, transact a great deal of business in St. George, the county seat,

located sixteen miles away. A Metropolitan Statistical Area can in no way be given the same weight as a Census Designated Urbanized Area regardless of how much Millennium strives to manufacture a sense of equality.

18. Dorchester County, for the most part, is rural area. The portions of the county which are not timberland or swamp are used for agricultural purposes. To depict the residents of Ridgeville or, in large part, Dorchester County as urban would be a great mischaracterization.

19. Millennium cites **Beacon Broadcasting**, 2 FCC Rcd 3469 (1987) *aff'd*, 66 RR 2d 1088 (1989) as an occasion where the Commission applied the principals outlined in **Ruarch Associates**, 56 RR 2d 1593 (1984). Close inspection reveals that **Beacon** can easily be distinguished from the present case. Fairforest, South Carolina, the town that was denied a first local AM service, is located immediately adjacent to Spartanburg, South Carolina and well within the Spartanburg Urbanized Area. Exhibit 6 is a map showing the community of Fairforest and its relationship to Spartanburg. Fairforest is located just over a mile from the Spartanburg city limits. In the present case, Ridgeville is not only located well over twenty miles from the Charleston city limit, but well outside of the Charleston Urbanized Area. As stated above, Millennium has grossly mischaracterized Ridgeville's location in relation to the Charleston Urbanized Area and the city of Charleston in an attempt to make **Beacon** applicable to the present situation. Millennium must not be

allowed to profit by its proffered misinformation. Clearly, the facts in **Beacon** in no way parallel the present case and can not be used as a precedent.

RIDGEVILLE IS DESERVING OF A FIRST LOCAL FM SERVICE

20. Ridgeville, located 31.3 miles from Charleston, and well outside of the Charleston Urbanized Area, is deserving of a first local FM allocation. Ridgeville, an incorporated community of 1,625 persons, has all of the indicia of a community deserving of a first local FM service. There are numerous communities located in the state of South Carolina near much larger communities that have an FM allocation. Exhibit 7 is a chart showing small communities that have FM allocations within 25 miles of a census designated Urbanized Area.

21. Dorchester County, South Carolina, (1990 population 83,060) is two and one half times larger than Colleton County, (1990 population 34,377). Dorchester County presently has two FM stations licensed to communities within the county, WBUB(FM) at St. George, and WWWZ(FM) at Summerville. WBUB(FM) operates with 100,000 watts on 107.5 mHz. with an antenna height of 984 feet above the average terrain and WWWZ(FM) operates with 50,000 watts on 93.3 mHz. with an antenna height of 492 feet above the average terrain. Both of these stations have their main studios well within the Charleston Urbanized Area and project themselves as Charleston radio stations. In essence, Dorchester County does not have a truly local FM station programming to the specific needs and concerns of residents of the county. Once again, it

must be noted that Millennium is the licensee of WWWZ(FM) at Summerville. The reallocation of Channel 265C3 to Ridgeville would enable Dorchester County to receive the local service it deserves.

MILLENNIUM'S HIDDEN AGENDA BEHIND ITS OBJECTION

22. Gresham asserts that it is quite obvious why Millennium has filed an objection against the reallocation of Channel 265C3 from Walterboro to Ridgeville. Millennium's WWWZ(FM) programs an Urban Contemporary format targeting the large black population within the Charleston radio market. The majority of the black population within the market presently listens to WWWZ(FM). A principal stockholder within Gresham is the majority stockholder in the licensee of WPAL(AM) at Charleston. Like WWWZ(FM), WPAL(AM) programs an Urban Contemporary format. Obviously, Millennium believes that WPAL-FM will also program an Urban Contemporary format, and that WPAL-FM will cut into WWWZ(FM)'s audience share and associated advertising revenue. Millennium's objection is nothing more than a shameless attempt to stifle "possible" competition for listeners and advertising revenue.

23. If Millennium were truly concerned about other station's providing 60 dBu coverage in the Charleston Urbanized Area why did it not object to the recent allocation of Channel 292A at Ladson, South Carolina, a community quite close to the city of Charleston and well within the Charleston Urbanized Area? Likewise, why didn't Millennium not object to the recent upgrade to Class C3 status of WJYQ(FM) at Moncks Corner, a community

located thirty miles from Charleston? WJYQ(FM)'s allocation coordinates for Class C3 move the station's antenna site much closer to Charleston. It must be noted that, like Ridgeville, the town of Moncks Corner is located outside of the Charleston Urbanized Area. If Millennium's real intent was to stop other station's from providing 60 dBu service in the Charleston Urbanized Area would it not have furthered their interests to file objections during the rule making process in those two proceedings? Millennium was silent on both issues. The old saying is true, "on's actions (or in this case, inaction) speak louder than words".

24. The Commission has noted many times in the past that it takes a dim view on those that use the allocation process to block or delay potential upgrades or improvements in facilities. For a number of months, it has been apparent to Gresham that Millennium has set forth into motion a concerted effort to discredit Gresham and its construction of the WPAL-FM upgrade. Millennium's burning desire to thwart any attempt to maximize the C3 facilities of WPAL-FM smacks of blatant anticompetitiveness, is reprehensible and certainly not in the public interest. It is, in fact, Millennium who is attempting to manipulate the Commission's Rules to further their hidden agenda. The Commission must not fall prey to Millennium's well calculated deception at the expense of the public interest.

CONCLUSION

25. Gresham seeks to maximize the facilities of WPAL-FM to

operate nondirectionally as a Class C3 facility and further the public interest by adding a first local service to Ridgeville. Ridgeville is deserving of a local allotment. The Gresham proposal meets all of the Commission's criteria set forth in **Amendment of Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License**, 4 FCC Rcd 4870 (1989) and **Amendment of Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License**, 5 FCC Rcd 7094 (1990).

26. Millennium is wrong about antenna site availability. Gresham has shown that, in fact, there is not a "substantial" area where WPAL-FM may be upgraded and employ an omnidirectional antenna. The area where Millennium stridently boasts that a WPAL-FM nondirectional upgrade could be made was previously submitted for approval by Gresham and denied by the FAA. The area southeast of Walterboro, between State Highway 651 and the Edisto River, which is properly spaced for nondirectional use, does not offer any access or availability of three phase power nearby. Ironically, this area as an antenna site would provide more coverage of land area and population within the Charleston Urbanized Area than the proposed allocation coordinates at Ridgeville.

26. Gresham has shown that certain crucial facts were misrepresented, or conveniently omitted, by Millennium in its attempt to make this situation fit into a scenario which is covered by Commission precedent. Gresham has shown that

Ridgeville is much further removed from the Charleston Urbanized Area than reported by Millennium; that Ridgeville's interdependence on Charleston is no more than that of Moncks Corner and Walterboro, two other towns wholly outside of the Charleston Urbanized Area; that the present authorized antenna site of WPAL-FM is only six tenths of a mile farther from Charleston than the allocation coordinates for the channel reallocation at Ridgeville; that if access could be had and three phase power built economically at a location within the usable area for omnidirectional operation and licensing to Walterboro that this antenna site could be as close as 29.5 miles to downtown Charleston, three and one half miles closer than the Ridgeville reallocation coordinates; that the **Beacon** proceeding is not applicable to this case as Fairforest was located well within the Spartanburg Urbanized Area and just a mile and a half from the Spartanburg City limits; that being located within a Metropolitan Statistical Area is not equivalent to being located within an census designated Urbanized Area; and that many communities within South Carolina located very near an Urbanized Area have FM channel allotments.

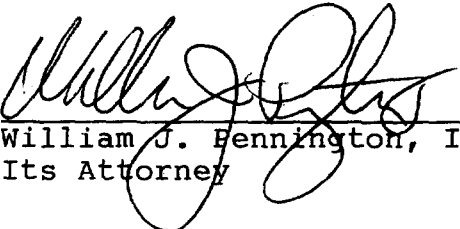
27. It is obvious that Millennium has objected to the proposed channel reallocation solely for anticompetitive purposes. Millennium's failure to object to two other recent rule making requests that allowed for far greater coverage of the Charleston Urbanized Area exposes their "real" reason for objecting to the proposed channel reassignment. Millennium only seeks through its

objection to negate, stymie, or relegate to less than maximum facilities a station that it feels will be programmed as a direct competitor to its WWZ(FM). Millennium's behavior is a direct abuse of the Commission's allocation process.

28. Gresham restates that if Channel 265C3 is reassigned to Ridgeville that it will immediately file an application for the necessary changes, and if granted a construction permit, will promptly construct the permitted facilities.

WHEREFORE, it is respectfully requested that the Commission reallocate FM Channel 265C3 from Walterboro to Ridgeville, South Carolina and modify the license of WPAL-FM accordingly allowing the station to operate omnidirectional with maximum facilities and provide a much deserved first local service to Ridgeville which will further the public interest, policy goals and allotment priorities of the Commission.

Respectfully submitted,
GRESHAM COMMUNICATIONS, INC.



William J. Pennington, III
Its Attorney

Post Office Box 2506
Pawleys Island, SC 29585
(803) 237-2591

August 28, 1993

EXHIBIT 1

GRESHAM'S CONSTRUCTION PERMIT APPLICATION FILED AT
PROPERLY SPACED ANTENNA SITE NEAR COTTAGEVILLE, SC

GRESHAM COMMUNICATIONS, INC.

RADIO STATION WALD

WALTERSBO, SOUTH CAROLINA

APPLICATION FOR CHANGE IN ANTENNA LOCATION AND POWER

ENGINEERING EXHIBIT

MAY, 1992

HOVERMALE ASSOCIATES, INC.

P.O. BOX 565

MANNING, SC. 29102

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____

ASB Referral Date _____

Referred by _____

Name of Applicant

GRESHAM COMMUNICATIONS, INC.

Call letters (if issued)

WALD

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: _____

Purpose of Application: (check appropriate box(es))

☐ Construct a new (main) facility☐ Construct a new auxiliary facility☐ Modify existing construction permit for main facility☐ Modify existing construction permit for auxiliary facility☒ Modify licensed main facility☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height☐ Effective radiated power☐ Antenna height above average terrain☐ Frequency☒ Antenna location☒ Class☐ Main Studio location☐ Other (Summarize briefly)File Number(s) BLH-7262

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
265	WALTERBORO	COLLETON	SC

Class (check only one box below)

☐ A ☐ B1 ☐ B ☒ C3☐ C2 ☐ C1 ☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark. .18 Kilometers Northeast of Red Oak Church on Red Oak Hwy. Northeast of Cottageville, SC

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	32°	58'	55"	Longitude	80°	27'	06"
----------	-----	-----	-----	-----------	-----	-----	-----

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. _____

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	Longitude
----------	-----------

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.

Date May 25, 1992 Office where filed Atlanta

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>None</u>		
(b) <u></u>		

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level: 13.7 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 137.1 meters(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 150.8 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground 124.3 meters (H)124.3 meters (V)(2) above mean sea level [(aX1) + (bX1)] 138.0 meters (H)138.0 meters (V)(3) above average terrain 135.0 meters (H)135.0 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
EE-1

9. Effective Radiated Power:

(a) ERP in the horizontal plane

13.7 kw (H) 13.7 kw (V)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.
NA kw (H) kw (V)

-Polarization

SECTION V-3 - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.315, including plot(s) and tabulations of the relative field.

Exhibit No.

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 316 mV/m service.

Exhibit No.

12. Will the main studio be within the protected 316 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☒ Yes ☐ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.

- (1) Protected and interfering contours, in all directions (360°), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(h), 73.316(e) and 73.318.)

Exhibit No.

See Narrative Statement

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V. The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
EE-2

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
EE-3

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 4779.2 sq. km.

Population 223,071

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 60-second database

☐ 7.5 minute topographic map

(Source: NGDC)

☐ Other *(briefly describe)*